

June 30, 1931, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary.

(Apr. 19, 1930, ch. 203, § 2, 46 Stat. 248.)

§ 426. Predatory and other wild animals

The Secretary of Agriculture may conduct a program of wildlife services with respect to injurious animal species and take any action the Secretary considers necessary in conducting the program. The Secretary shall administer the program in a manner consistent with all of the wildlife services authorities in effect on the day before October 28, 2000.

(Mar. 2, 1931, ch. 370, § 1, 46 Stat. 1468; Pub. L. 102-237, title X, § 1013(d), Dec. 13, 1991, 105 Stat. 1901; Pub. L. 106-387, § 1(a) [title VII, § 767], Oct. 28, 2000, 114 Stat. 1549, 1549A-44.)

AMENDMENTS

2000—Pub. L. 106-387 inserted section catchline and amended text generally. Prior to amendment, text read as follows: “The Secretary of Agriculture is authorized and directed to conduct such investigations, experiments, and tests as he may deem necessary in order to determine, demonstrate, and promulgate the best methods of eradication, suppression, or bringing under control on national forests and other areas of the public domain as well as on State, Territory, or privately owned lands of mountain lions, wolves, coyotes, bobcats, prairie dogs, gophers, ground squirrels, jack rabbits, brown tree snakes, and other animals injurious to agriculture, horticulture, forestry, animal husbandry, wild game animals, fur-bearing animals, and birds, and for the protection of stock and other domestic animals through the suppression of rabies and tularemia in predatory or other wild animals; and to conduct campaigns for the destruction or control of such animals: *Provided*, That in carrying out the provisions of this section the Secretary of Agriculture may cooperate with States, individuals, and public and private agencies, organizations, and institutions.”

1991—Pub. L. 102-237 inserted “brown tree snakes,” after “rabbits.”

TRANSFER OF FUNCTIONS

Functions of Secretary of Agriculture administered through Bureau of Biological Survey, relating to conservation of wildlife, game, and migratory birds, transferred to Secretary of the Interior by 1939 Reorg. Plan No. II, § 4(f), eff. July 1, 1939, set out in the Appendix to Title 5, Government Organization and Employees. See also sections 401 to 404 of said plan for provisions relating to transfer of functions, records, property, personnel, and funds.

Pub. L. 99-190, § 101(a) [H.R. 3037, title I, § 101], Dec. 19, 1985, 99 Stat. 1185; Pub. L. 100-202, § 106, Dec. 22, 1987, 101 Stat. 1329-433, provided in part: “That effective upon the date of enactment of this Act [Dec. 19, 1985] and notwithstanding any other provision of law, the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b), (transferred to the Secretary of the Interior pursuant to section 4(f) of 1939 Reorganization Plan No. II) and all personnel, property, records, unexpended balances of appropriations, allocations and other funds of the Fish and Wildlife Service, United States Department of the Interior used, held, available or to be made available in connection with the administration of such Act, are hereby transferred from the Secretary of the Interior to the Secretary of Agriculture, and this appropriation shall be available to carry out such authorities.”

PREVENTION OF INTRODUCTION OF BROWN TREE SNAKES TO HAWAII FROM GUAM

Section 1013(a)-(c) of Pub. L. 102-237, as amended by Pub. L. 105-277, div. A, § 101(a) [title VII, § 743], Oct. 21, 1998, 112 Stat. 2681, 2681-31, provided that:

“(a) IN GENERAL.—The Secretary of Agriculture shall take such action as may be necessary to prevent the inadvertent introduction of brown tree snakes into other areas of the United States from Guam.

“(b) INTRODUCTION INTO HAWAII.—The Secretary shall initiate a program to prevent the introduction of the brown tree snake into Hawaii from Guam. In carrying out this section, the Secretary shall consider the use of sniffer or tracking dogs, snake traps, and other preventative processes or devices at aircraft and vessel loading facilities on Guam, Hawaii, or intermediate sites serving as transportation points that could result in the introduction of brown tree snakes into Hawaii.

“(c) AUTHORITY.—The Secretary shall use the authority provided under the Federal Plant Pest Act (7 U.S.C. 150aa et seq.) to carry out subsections (a) and (b).”

Pub. L. 102-190, div. A, title III, § 348, Dec. 5, 1991, 105 Stat. 1348, provided that: “The Secretary of Defense shall take such action as may be necessary to prevent the inadvertent introduction of brown tree snakes from Guam to Hawaii in aircraft and vessels transporting personnel or cargo for the Department of Defense. In carrying out this section, the Secretary shall consider the use of sniffer or tracking dogs, snake traps, and other preventive processes or devices at aircraft and vessel loading facilities in Guam or Hawaii or at intermediate transit points for personnel or cargo transported between Guam and Hawaii.”

§ 426a. Omitted

CODIFICATION

Section, act Mar. 2, 1931, ch. 370, § 2, 46 Stat. 1469, authorized \$1,000,000 per year for fiscal years 1932 to 1941, inclusive.

§ 426b. Authorization of expenditures for the eradication and control of predatory and other wild animals

The Secretary of Agriculture is authorized to make such expenditures for equipment, supplies, and materials, including the employment of persons and means in the District of Columbia and elsewhere, and to employ such means as may be necessary to execute the functions imposed upon him by section 426 of this title.

(Mar. 2, 1931, ch. 370, § 3, 46 Stat. 1469.)

TRANSFER OF FUNCTIONS

See note under section 426 of this title.

§ 426c. Control of nuisance mammals and birds and those constituting reservoirs of zoonotic diseases; exception

On and after December 22, 1987, the Secretary of Agriculture is authorized, except for urban rodent control, to conduct activities and to enter into agreements with States, local jurisdictions, individuals, and public and private agencies, organizations, and institutions in the control of nuisance mammals and birds and those mammal and bird species that are reservoirs for zoonotic diseases, and to deposit any money collected under any such agreement into the appropriation accounts that incur the costs to be available immediately and to remain available until expended for Animal Damage Control activities.

(Pub. L. 100-202, § 101(k) [title I], Dec. 22, 1987, 101 Stat. 1329-322, 1329-331.)

§ 426d. Expenditures for cooperative agreements to lease aircraft

On and after November 10, 2005, notwithstanding any other provision of law, the Secretary of